

105TH CONGRESS
2D SESSION

H. R. 4111

To provide for outlet modifications to Folsom Dam, a study for reconstruction of the Northfork American River Cofferdam, and the transfer to the State of California all right, title, and interest in and to the Auburn Dam, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 1998

Mr. DOOLITTLE (for himself, Mr. POMBO, Mr. HERGER, and Mr. YOUNG of Alaska) introduced the following bill; which was referred to the Committee on Resources

A BILL

To provide for outlet modifications to Folsom Dam, a study for reconstruction of the Northfork American River Cofferdam, and the transfer to the State of California all right, title, and interest in and to the Auburn Dam, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. OUTLET MODIFICATIONS TO FOLSOM DAM.**

4 (a) IN GENERAL.—The Secretary shall carry out the
5 new outlets plan for modifications of Folsom Dam, Cali-
6 fornia, substantially in accordance with the Sacramento
7 Area Flood Control Agency report entitled “Folsom Dam

1 Modification Report, New Outlets Plan”, dated March,
2 1998.

3 (b) VARIABLE STORAGE SPACE.—Upon completion of
4 the project authorized by this section, the Secretary shall
5 operate the Folsom Dam and Reservoir to the variable
6 400,000/600,000 acre-feet of flood control storage capac-
7 ity.

8 (c) COST SHARE.—The Federal share of the cost of
9 the project authorized by this section shall be 65 percent
10 and the non-Federal share of the cost of such project shall
11 be 35 percent.

12 **SEC. 2. RECONSTRUCTION OF NORTHFORK AMERICAN**
13 **RIVER COFFERDAM.**

14 (a) STUDY.—Not later than 6 months after the date
15 of the enactment of this Act, the Secretary shall complete
16 a study to determine the feasibility of a project to recon-
17 struct and make safety improvements (including construc-
18 tion of a spillway or other overflow or outlet structure)
19 to Northfork American River Cofferdam, for the purpose
20 of enabling such Cofferdam to impound safely a minimum
21 of 180,000 acre/feet of water.

22 (b) DETERMINATION; CONSTRUCTION.—If, after con-
23 ducting the study pursuant to subsection (a), the Sec-
24 retary determines that such a project, when combined with
25 the modifications to Folsom dam identified under section

1 1, would provide greater flood control benefits at a lower
 2 cost and with fewer downstream impacts than the Stepped
 3 Release Plan described in the Army Corps of Engineers’
 4 report entitled “March 1996 Supplemental Information
 5 Report of the Chief of Engineers”, the Secretary shall
 6 carry out the Northfork American River Cofferdam
 7 project referred to in subsection (a).

8 (c) COST SHARE.—The Federal share of the cost of
 9 the project authorized by this section shall be 65 percent
 10 and the non-Federal share of the cost of such project shall
 11 be 35 percent.

12 **SEC. 3. TRANSFER OF AUBURN DAM SITE.**

13 (a) PROJECT DEFINED.—For the purposes of this
 14 section, the term “Auburn Project” means the Auburn
 15 Dam and Reservoir portion of the Auburn-Folsom South
 16 Unit, Central Valley Project.

17 (b) TRANSFER.—

18 (1) TRANSFER BY SECRETARY.—In consider-
 19 ation of the State of California accepting the obliga-
 20 tions of the United States related to the Auburn
 21 Project, the Secretary shall, not later than 1 year
 22 after completion of the projects authorized by sec-
 23 tions 1 and 2, transfer to the State of California all
 24 right, title, and interest of the United States to the
 25 Auburn Project.

1 (2) TRANSFER BY OPERATION OF LAW.—If the
2 Secretary fails to transfer the Auburn Project to the
3 State of California pursuant to paragraph (1) within
4 the 1 year period provided in such paragraph, all
5 right, title, and interest of the United States to the
6 Auburn Project shall vest in the State of California
7 by operation of law.

8 (c) RESERVATION.—Notwithstanding subsection (b),
9 the United States shall reserve sufficient interests in the
10 lands, rights-of-way, water rights, and facilities described
11 in subsection (a) to enable the United States—

12 (1) to perform the contractual obligations of the
13 United States to the Placer County Water Agency,
14 as set forth in the contracts which provide for pump-
15 ing facilities for, and the delivery of water to, the
16 Placer County Water Agency and are numbered 14–
17 06–200–5082(A), 14–06–859–308, and 14–06–859–
18 308(a); and

19 (2) to grant to Georgetown Divide Public Util-
20 ity District real property rights sufficient to enable
21 such utility district to construct and operate facili-
22 ties necessary to divert, treat, and store water sup-
23 plies from American River, and to treat and dispose
24 of sewage and wastewater.

1 (d) LIABILITY.—On and after the date of the transfer
2 of the Project to the State of California pursuant to para-
3 graph (1) or (2) of subsection (b), the United States shall
4 not be liable under any law for damages of any kind aris-
5 ing out of any act, omission, or occurrence relating to the
6 Project.

7 **SEC. 4. SECRETARY DEFINED AND CLARIFIED.**

8 For the purposes of this Act, the term “Secretary”
9 shall mean the Secretary of the Interior. The Secretary
10 shall carry out this Act through the Bureau of Reclama-
11 tion.

12 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) FOLSOM DAM MODIFICATIONS.—There is hereby
14 authorized to be appropriated to the Secretary of the Inte-
15 rior to carry out the project authorized by section 1 the
16 sum of \$101,100,000.

17 (b) NORTHFORK AMERICAN RIVER COFFERDAM.—
18 There is hereby authorized to be appropriated to the Sec-
19 retary of the Interior to carry out the project authorized
20 by section 2 the sum of \$130,000,000.

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